

OFFICE OF THE LIEUTENANT GOVERNOR Department Summary

Mission Statement

To enhance the efficiency and effectiveness of state programs by providing leadership and executive management.

Department Goals

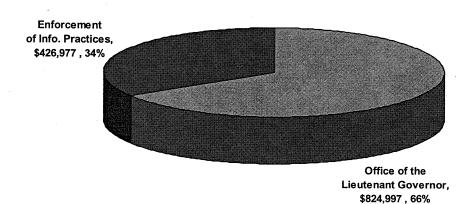
To provide effective leadership and executive management, and protect the public's interest by ensuring that government processes are open.

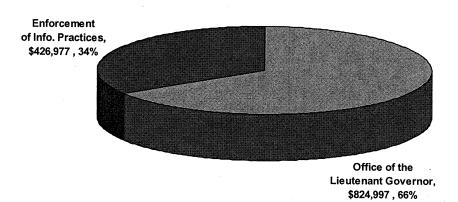
Significant Measures of Effectiveness

- 1. Total revenue from sales as a percentage of cost of publication
- 2. Number of requests for general guidance (attorney of the day)

FY 2010	FY 201	1
80	;	80
800	80	00

FB 2009-2011 Operating Budget by Major Program Area FY 2010 FY 2011





OFFICE OF THE LIEUTENANT GOVERNOR MAJOR FUNCTIONS

- Exercise the executive powers whenever the Governor is absent from the State or unable to exercise and discharge the powers and duties of the office; serve as the Secretary of State for intergovernmental relations; perform duties and undertake projects assigned by the Governor; and provide administrative support to the Office of Information Practices.
- Provide general advice and guidance to agencies and the public on the UIPA and the Sunshine Law; assist the public in obtaining records and responses to record requests; conduct inquiries into an agency's compliance with the UIPA and the Sunshine Law; and investigate alleged violations of these laws.

MAJOR PROGRAM AREAS

The Office of the Lieutenant Governor has programs in the following major program areas:

Individual Rights

LTG 105

Enforcement of Information Practices

Government-Wide Support

LTG 100

Office of the Lieutenant Governor

Office of the Lieutenant Governor (Operating Budget)

		Allocation		
		FY 2009	FY 2010	FY 2011
Funding Sources:	Positions	8.00	8.00	8.00
General Funds	\$	1,260,572	1,251,974	1,251,974
		8.00	8.00	8.00
Total Requirements		1,260,572	1,251,974	1,251,974

Major Adjustments in the Executive Budget Request: (general funds unless noted)

1. Deletes one vacant temporary exempt position and \$66,843.

PROGRAM ID:

PROGRAM STRUCTURE NO.

PROGRAM TITLE:

OFFICE OF THE LIEUTENANT GOVERNOR

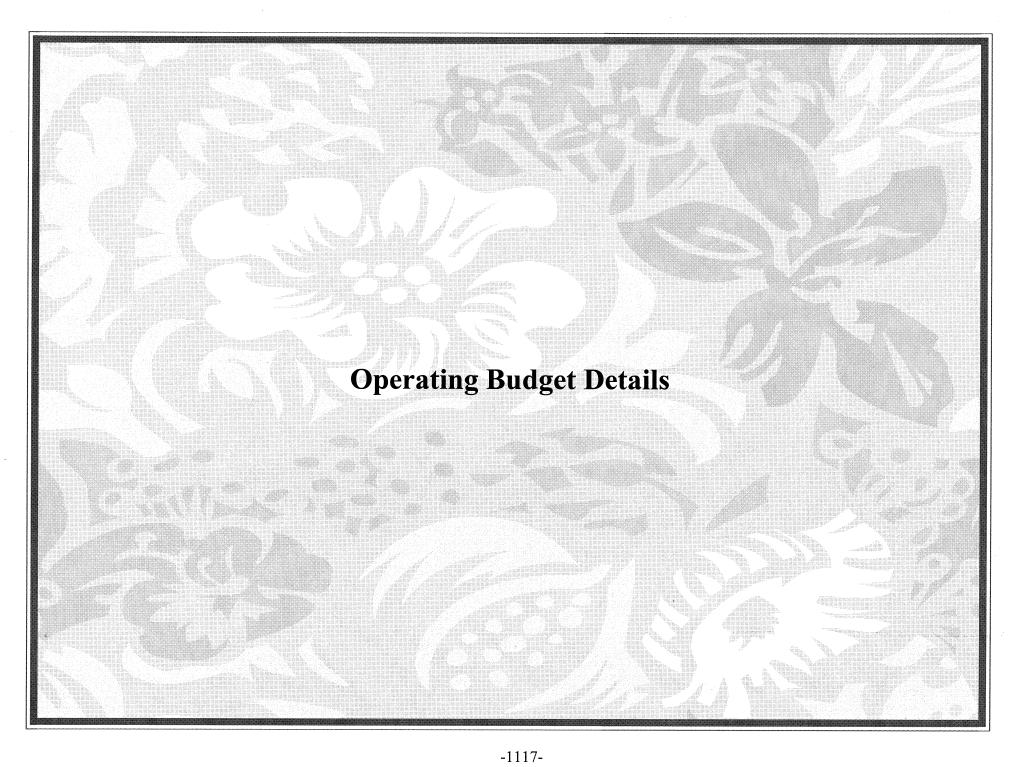
							IN THOUSANDS				
PROGRAM EXPENDITURES	FY2007-08	FY2008-09	FY2009-10	FY2010-11	FY2011-12	FY2012-13	FY2013-14	FY2014-15			
OPERATING COST	8.00*	8.00*	8.00*	8.00*	8.0*	8.0*	8.0*	8.0*			
PERSONAL SERVICES	1,141,834	1,148,708	1,189,239	1,189,239	1,190	1,190	1,190	1,190			
OTHER CURRENT EXPENSES	97,949	98,385	62,735	62,735	62	62	62	62			
TOTAL OPERATING COST	1,239,783	1,247,093	1,251,974	1,251,974	1,252	1,252	1,252	1,252			
BY MEANS OF FINANCING				ł							
	8.00*	8.00*	8.00*	8.00*	8.0*	8.0*	8.0*	8.0*			
GENERAL FUND	1,239,783	1,247,093	1,251,974	1,251,974	1,252	1,252	1,252	1,252			
TOTAL POSITIONS	8.00*	8.00*	8.00*	8.00*	8.00*	8.00*	8.00*	8.00*			
TOTAL PROGRAM COST	1,239,783	1.247.093	1,251,974	1,251,974	1.252	1,252	1,252	1,252			
								=========			

Office of the Lieutenant Governor (Capital Improvements Budget)

	FY 2010	FY 2011
Funding Sources:		
General Obligation Bonds	0	0
Federal Funds	0	. 0
Total Requirements	0	0

Highlights of the Executive CIP Budget Request: (general obligation bonds unless noted)

1. None.



OPERATING AND CAPITAL EXPENDITURES

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PROGRAM ID:

PROGRAM STRUCTURE NO. 10

PROGRAM TITLE:

INDIVIDUAL RIGHTS

		IN THOUSANDS						
PROGRAM EXPENDITURES	FY2007-08	FY2008-09	FY2009-10	FY2010-11	FY2011-12	FY2012-13	FY2013-14	FY2014-15
OPERATING COST	5.00*	5.00*	5.00*	5.00*	5.0*	5.0*	5.0*	5.0*
PERSONAL SERVICES	329,743	376,287	406,653	406,653	407	407	407	407
OTHER CURRENT EXPENSES	44,936	24,816	20,324	20,324	20	20	20	20
TOTAL OPERATING COST	374,679	401,103	426,977	426,977	427	427	427	427
				i				
BY MEANS OF FINANCING				1				
	5.00*	5.00*	5.00*	5.00*	5.0*	5.0*	5.0*	5.0*
GENERAL FUND	374,679	401,103	426,977	426,977	427	427	427	427
TOTAL POSITIONS	5.00*	5.00*	5.00*	5.00*	5.00*	5.00*	5.00*	5.00*
TOTAL PROGRAM COST	374,679	401,103	426,977	426,977	427	427	427	427
Terms Theorem Geor	=======================================						727	727

REPORT P61-A

PROGRAM ID:

LTG105

PROGRAM STRUCTURE NO. 1002

PROGRAM TITLE:

ENFORCEMENT OF INFORMATION PRACTICES

							IN THOUSANDS				
PROGRAM EXPENDITURES	FY2007-08	FY2008-09	FY2009-10	FY2010-11	FY2011-12	FY2012-13	FY2013-14	FY2014-15			
OPERATING COST	5.00*	5.00*	5.00*	5.00*	5.0*	5.0*	5.0*	5.0*			
PERSONAL SERVICES	329,743	376,287	406,653	406,653	407	407	407	407			
OTHER CURRENT EXPENSES	44,936	24,816	20,324	20,324	20	20	20	20			
TOTAL OPERATING COST	374,679	401,103	426,977	426,977	427	427	427	427			
BY MEANS OF FINANCING											
	5.00*	5.00*	5.00*	5.00*	5.0*	5.0*	5.0*	5.0*			
GENERAL FUND	374,679	401,103	426,977	426,977	427	427	427	427			
TOTAL POSITIONS	5.00*	5.00*	5.00*	5.00*	5.00*	5.00*	5.00*	5.00*			
TOTAL PROGRAM COST	374,679	401,103	426,977	426,977	427	427	427	427			

PERFORMANCE MEASURES AND PROGRAM REVENUES

PROGRAM ID: LTG105
PROGRAM STRUCTURE: 1002
PROGRAM TITLE: ENFORCEMENT OF INFORMATION PRACTICES

	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
MEASURES OF EFFECTIVENESS 1. % APPEALS FR DENIAL OF ACCESS RESOLVED W/IN 30 DYS 2. % OF ADVISORY OPINIONS RENDERED WITHIN 45 DAYS 3. % OF SUNSHINE LAW INVESTIGATIONS COMP W/IN 45 DAYS 4. % ASSIST ENF AGEN COMPL RESP REQ COMP W/IN 30 DAYS 5. % GENERAL INQUIRIES (AOD) RESPONDED TO W/IN 1 DAY 6. % NEW BOARD MEMBERS REC'G SUNSHINE LAW TRAINING 7. % AGENCIES COMPLYING WITH RECORD REPORTING SYSTEM 8. NO. OF OPENLINE NEWSLETTERS AND GUIDANCE MEMORANDA 9. NO. OF TRAINING PRESENTATIONS TO AGENCIES/BOARDS 10. NO. OF PUBLIC INFORMATIONAL PRESENTATIONS	55 65 65 65 95 40 30 12 25	70 70 80 50 95 60 50 9 18	70 70 80 50 95 60 50 9	70 70 80 50 95 60 50 9 18	70 70 80 50 95 60 50 9 18	70 70 80 50 95 60 50 9 18	70 70 70 50 95 60 50 9 18 1	70 70 70 50 95 60 50 9
PROGRAM TARGET GROUPS 1. DE FACTO POPULATION OF HAWAII 2. ALL STATE AND COUNTY AGENCIES 3. ALL STATE AND COUNTY GOVERNMENT EMPLOYEES 4. OTHERS INTERESTED IN HAWAII GOVT RECORDS & MTGS								
PROGRAM ACTIVITIES 1. GENERAL GUIDANCE RE: UIPA & SUNSHINE LAW ISSUES 2. ASSISTANCE PROVIDED TO OBTAIN AGENCY RECORDS 3. FORMAL OPINIONS ISSUED 4. INFORMAL OPINIONS ISSUED 5. INVESTIGATIONS RE: SUNSHINE LAW COMPLIANCE 6. LAWSUITS MONITORED 7. LEGISLATION MONITORED/TESTIFIED 8. PUBLICATIONS (OPENLINE/EDUC MATERIALS/REPORTS) 9. RRS REPORTS INPUTTED/RECEIVED 10. TRAINING WORKSHOPS ON UIPA AND SUNSHINE LAW	800 65 16 35 30 3 125 12 24 35	800 50 5 40 15 5 125 9 24 18	800 50 5 40 15 5 125 9 24	800 50 5 40 15 5 125 9 24	800 50 5 40 15 5 125 9 24 18	800 50 5 40 15 5 125 9 24	800 50 5 40 15 5 125 9 24 18	800 50 5 40 15 5 125 9 24

A. Statement of Program Objectives

To protect the public's interest by ensuring, to the extent reasonably possible, that the governmental processes are open to public scrutiny and participation, that the public has access to government records, that government boards conduct their business in meetings open to the public unless permitted by statute to do otherwise, that government is accountable to individuals in the collection, use and dissemination of information about them, and that individuals' privacy interests are protected where disclosure would constitute a clearly unwarranted invasion of privacy; to assist the public in obtaining records; to resolve complaints and issues relating to the public's access to records and meetings; to assist government agencies and boards in complying with the public records and open meeting laws.

B. Description of Request and Compliance with Section 37-68(1)(A)(B)

OIP's request was made in compliance with the 10-20% mandatory deduction for state agencies. The request has resulted in a reduction of OIP's operating budget in the amount of \$4,492, which equates to a 42% reduction from OIP's FY08 operating expense appropriation (20). OIP will address this reduction by restricting travel, cancelling trade publication and reference material subscriptions, cancelling membership in Council on Governmental Ethics Laws (COGEL) organization, limiting the number of educational and guidance publications provided in hard copy, and reducing mailing costs.

C. <u>Description of Activities Performed</u>

Provide general advice and guidance to government agencies, government boards, and the public about an agency's or board's responsibilities and the public's rights under the Uniform Information Practices Act (Modified), chapter 92F, HRS (the

"UIPA") and Sunshine Law, part I of chapter 92, HRS; Assist the public in obtaining records and/or responses to record requests; Conduct inquiries into an agency's compliance with the UIPA and the Sunshine Law; Investigate alleged violations of the UIPA and the Sunshine Law; Issue written opinions (formal and informal) relating to an agency's responsibilities and the public's rights under the UIPA and the Sunshine Law; Rule on appeals of an agency's denial of access to records; Introduce and monitor legislation; Publish newsletters and other informational publications; Conduct training and other types of educational workshops; Maintain and oversee the Records Report System; Report to the Governor and the Legislature.

D. Statement of Key Policies Pursued

To promote public interest in disclosure; provide for accurate, relevant, timely, and complete government records; enhance governmental accountability through a general policy of access to government records and meetings; make government accountable to individuals in the collection, use, and dissemination of information related to them; balance the individual privacy interest and public access interest, allowing access unless it would constitute a clearly unwarranted invasion of privacy.

E. <u>Identification of Important Program Relationships</u>

Because the UIPA affects all state and county agencies, the program maintains primary relationships with all of them. Additionally, in administering the open meetings law, the program must maintain primary relationships with state and county boards, commissions, authorities, and committees.

Important secondary relationships are maintained with a number of diverse public interest groups (state, national, and international levels), including the Council on

Governmental Ethics Laws (COGEL), Common Cause, League of Women Voters, and Honolulu Professional Journalists.

F. Description of Major External Trends Affecting the Program

Recent trends that affect OIP's program include the advancements in technology providing for electronic access to information and legislating legislation enacted to update laws to address the same; and protection of information to prevent abuses such as identity theft.

The current widespread use of the internet as a means of obtaining access to government records is being reflected by amendments to statutes to provide for the same. Technologic developments also require agencies to continue to implement and improve information practices to prevent unwarranted disclosures of information and records. The prevalence of identity theft issues has also resulted in legislation to protect information, such as social security numbers, from unauthorized disclosure.

These trends have significant impacts, and have caused uncertainty and ambiguity in, agencies' information practices. To this end, OIP provides legal guidance and assistance to agencies and boards, and to members of the public concerned with the release of information or records in which they have a privacy interest. OIP also offers testimony to the legislature concerning issues and legislation related to these trends.

G. Discussion of Cost, Effectiveness, and Program Size Data

Part II Measures 1-4.

Significant discrepancies resulted primarily to a lack of staffing during the fiscal year.

The discrepancies resulted in large part due to understaffing for much of FY 2008. OIP has 7.5 positions, which includes the director, two full-time staff attorneys, two part-time attorneys, and three staff members. In FY 2008, one full-time staff attorney position was filled for approximately four months of the year. The other full-time staff attorney served as the interim director and only full-time staff attorney for

approximately five months. The director position was filled approximately halfway into the fiscal year. To address budget reductions, hours for one staff position were reduced. In FY 2008, OIP was also actively involved in defending a lawsuit against OIP brought by the County of Kauai. Significant resources were directed towards this end.

To address further reductions in its budget, OIP has reduced its employee costs by reducing hours for one attorney position and operational costs. This reduction will make it more difficult for OIP to achieve its planned effectiveness, although OIP continues its efforts to streamline procedures and to implement other methods to improve performance, such as the issuance of more informal opinions and summary dispositions. OIP has also identified the need to adjust its measures of effectiveness over the next four years to account for reduced staffing and other third party factors that affect its ability to meet those measures.

H. Discussion of Program Revenue

Not applicable

I. Summary of Analysis Performed

Not applicable

J. Further Considerations

Not applicable

PROGRAM ID:

PROGRAM STRUCTURE NO. 11

PROGRAM TITLE:

GOVERNMENT-WIDE SUPPORT

		IN DOLLARS				THOUSANDS				
PROGRAM EXPENDITURES	FY2007-08	FY2008-09	FY2009-10	FY2010-11	FY2011-12	FY2012-13	FY2013-14	FY2014-15		
OPERATING COST	3.00*	3.00*	3.00*	3.00*	3.0*	3.0*	3.0*	3.0*		
PERSONAL SERVICES	812,091	772,421	782,586	782,586	783	783	783	783		
OTHER CURRENT EXPENSES	53,013	73,569	42,411	42,411	42	42	42	42		
TOTAL OPERATING COST	865,104	845,990	824,997	824,997	825	825	825	825		
BY MEANS OF FINANCING										
	3.00*	3.00*	3.00*	3.00*	3.0*	3.0*	3.0*	3.0*		
GENERAL FUND	865,104	845,990	824,997	824,997	825	825	825	825		
TOTAL POSITIONS	3.00*	3.00*	3.00*	3.00*	3.00*	3.00*	3.00*	3.00*		
TOTAL PROGRAM COST	865,104	845,990	824,997	824,997	825	825	825	825		
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REPORT P61-A

PROGRAM ID:

LTG100

PROGRAM STRUCTURE NO. 110102

PROGRAM TITLE:

OFFICE OF THE LIEUTENANT GOVERNOR

		IN DOLLAR	(5	:-		IN THOU	ISANDS	
PROGRAM EXPENDITURES	FY2007-08	FY2008-09	FY2009-10	FY2010-11	FY2011-12	FY2012-13	FY2013-14	FY2014-15
OPERATING COST	3.00*	3.00*	3.00*	3.00*	3.0*	3.0*	3.0*	3.0*
PERSONAL SERVICES	812,091	772,421	782,586	782,586	783	783	783	783
OTHER CURRENT EXPENSES	53,013	73,569	42,411	42,411	42	42	42	42
TOTAL OPERATING COST	865,104	845,990	824,997	824,997	825	825	825	825
BY MEANS OF ETHANOTHO								
BY MEANS OF FINANCING								
	3.00*	3.00*	3.00*	3.00*	3.0*	3.0*	3.0*	3.0*
GENERAL FUND	865,104	845,990	824,997	824,997	825	825	825	825
TOTAL POSITIONS	3.00*	3.00*	3.00*	3.00*	3.00*	3.00*	3.00*	3.00*
TOTAL PROGRAM COST	865,104	845,990	824,997	824,997	825	825	825	825

PERFORMANCE MEASURES AND PROGRAM REVENUES

PROGRAM ID:
PROGRAM STRUCTURE:
PROGRAM TITLE:
PROGRAM TITLE:
DFFICE OF THE LIEUTENANT GOVERNOR

2007-08	2008-09	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
80	80	80	80	80	80	80	80
1447	1447	1447	1447	1447	1447	1447	1447
1300 2.2	1300 2.2	1300 2.2	1300 2.2	1300 2.2	1300 2.2	1300 2.2	1300 2.2
116 116	116 116	116 116	116 116	116	116 116	116 116	116 116
116	116	116	116	116	116	116	116 116
	1447 1300 2.2 116 116	80 80 1447 1447 1300 1300 2.2 2.2 116 116 116 116	80 80 1447 1447 1300 1300 2.2 2.2 116 116 116 116 116 116 116 116	80 80 80 80 1447 1447 1447 1447 1300 1300 1300 1300 2.2 2.2 2.2 2.2 116 116 116 116 116 116 116 116 116 116 116 116	80 80 80 80 80 1447 1447 1447 1447 1447 1300 1300 1300 1300 1300 2.2 2.2 2.2 2.2 116 116 116 116 116 116 116 116 116 116 116 116 116 116 116	80 80 80 80 80 80 1447 1447 1447 1447 1447 1300 1300 1300 1300 1300 2.2 2.2 2.2 2.2 2.2 116 116 116 116 116 116 116 116 116 116 116 116 116 116 116 116 116 116	80 80 80 80 80 80 80 1447 1447 1447 1447 1447 1447 1300 1300 1300 1300 1300 1300 2.2 2.2 2.2 2.2 2.2 2.2 116 116 116 116 116 116 116 116 116 116 116 116 116 116 116 116 116 116 116 116 116

A. Statement of Program Objectives

To enhance the efficiency and effectiveness of state programs by providing leadership and executive management and by developing policies and priorities for all state programs.

B. Description of Request and Compliance with Section 37-68(1)(A)(B)

Given the slowdown of the state economy, the Office of the Lieutenant Governor's request was made in recognition of the need for all state agencies to reduce their budget appropriately. The request has resulted in a reduction of OLG's personal services budget in the amount of \$51,749, which equates to a 6% reduction from OLG's FY08 personal services budget. It has also resulted in a reduction of OLG's other expenses budget in the amount of \$10,602, which equates to a 20% reduction from OLG's FY08 other expenses budget. OLG plans to address this reduction by reducing office staff and minimizing other office expenditures.

C. Description of Activities Performed

The Office of the Lieutenant Governor has several core functions and activities, including, but not limited to the following:

- 1. The Lieutenant Governor acts in place of the Governor in the event of the Governor's absence from the State.
- Performs duties and undertakes projects assigned by the Governor. At this
 time, these duties have centered on public safety, family strengthening,
 innovation and economic revitalization.

- 3. Pursuant to Section 26-1, HRS, the Lieutenant Governor is also designated Secretary of State for intergovernmental relations. In this capacity, the Lieutenant Governor directs and performs varied activities which are required by law, including: name changes, authentication of documents, sale of official state publications, compilation of administrative rules, compilation of legislative acts and monitoring of state open meetings laws.
- Provide administrative support to agencies attached to this office which include:
 - a. Office of Information Practices.

D. Statement of Key Policies Pursued

The Lieutenant Governor works closely with the Governor to provide leadership and executive management to all state agencies. To that end, the Lieutenant Governor attends important community events and meets with community and business leaders on a regular basis. The Office of the Lieutenant Governor also communicates with constituents daily. The Lieutenant Governor also provides timely and important information to the public through media and/or other resources.

Pursuant to Article V, Section 4 of the Hawaii State Constitution, the Lieutenant Governor acts in place of the Governor in the event of the Governor's absence from the State.

Pursuant to Section HRS Section 26-1, the Lieutenant Governor provides leadership as the Secretary of State for the State of Hawai'i. In this capacity, the Lieutenant Governor directs and performs varied activities which are administrative, ministerial, and coordinative in nature. These activities include name change processing, administrative rules depository functions, certifications, apostilles, posting of board and commission hearing notices, and the sale and distribution of legislative publications.

Finally, the Lieutenant Governor performs duties and implements projects assigned by or on behalf of the Governor. At this time, these duties have centered on public safety, family strengthening, innovation and economic revitalization. The Lieutenant Governor has also been tasked with other policy projects dealing with drug control, including prevention, treatment and law enforcement initiatives.

E. Identification of Important Program Relationships

The Lieutenant Governor regularly engages in important program relationships with community organizations, as well as state, county and federal government agencies on key policy initiatives.

F. Description of Major External Trends Affecting the Program

Recent downward trends in the economy have affected state fiscal policies and priorities. The Governor and Lieutenant Governor have continued to provide executive management and leadership for state agencies, albeit with an emphasis on job creation, economic revitalization, and other fundamental government support services.

G. Discussion of Cost, Effectiveness, and Program Size Data

Not applicable.

H. Discussion of Program Revenues

Not applicable.

I. Summary of Analysis Performed

Not applicable.

J. Further Considerations

Not applicable.